

House File 2269 - Introduced

HOUSE FILE 2269

BY HEATON

A BILL FOR

1 An Act relating to the waiver of a juvenile to district court.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.45A, subsections 2 and 3, Code 2011,
2 are amended to read as follows:

3 2. Once a child sixteen years of age or older has been
4 waived to and convicted of an aggravated misdemeanor or a
5 felony in the district court, all criminal proceedings against
6 the child for any ~~aggravated~~ misdemeanor or felony occurring
7 subsequent to the date of the conviction of the child shall
8 begin in district court, notwithstanding sections 232.8 and
9 232.45. A copy of the findings required by section 232.45,
10 subsection 10, shall be made a part of the record in the
11 district court proceedings.

12 3. If proceedings against a child for ~~an aggravated a~~
13 misdemeanor or a felony who has previously been waived to and
14 convicted of ~~an aggravated a~~ misdemeanor or a felony in the
15 district court are mistakenly begun in the juvenile court,
16 the matter shall be transferred to district court upon the
17 discovery of the prior waiver and conviction, notwithstanding
18 sections 232.8 and 232.45.

19 EXPLANATION

20 This bill relates to the waiver of a juvenile to district
21 court.

22 Under the bill, if a child 16 years of age or older is
23 waived and convicted in district court for a criminal offense,
24 all new criminal charges that occur subsequent to the date of
25 conviction in district court shall begin in district court.

26 Current law specifies that if a child 16 years of age or
27 older is waived and convicted in district court for a criminal
28 offense, all new criminal charges for an aggravated misdemeanor
29 or felony that occur subsequent to the date of conviction in
30 district court shall begin in district court.